

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

JUNIPER NETWORKS, INC.,

Plaintiff,

v.

GRAPHON CORPORATION and
VERTICAL MARKETING, INC.,

Defendants.

Civil Case No. 1:09cv287 GBL/TRJ

GRAPHON CORPORATION, INC.,

Counter-Plaintiff,

v.

JUNIPER NETWORKS, INC.,

Counter-Defendant.

GRAPHON CORPORATION, INC.,

Third-Party Plaintiff,

v.

JUNIPER NETWORKS (US), INC.,

Third-Party Defendant.

**PLAINTIFF JUNIPER NETWORKS, INC.'S MOTION TO SEVER AND TRANSFER
DEFENDANT GRAPHON CORPORATION'S INFRINGEMENT COUNTERCLAIM**

Pursuant to Rule 21 of the Federal Rules of Civil Procedure and 28 U.S.C. § 1404(a), Plaintiff Juniper Networks, Inc. respectfully moves this Court to sever and transfer Defendant GraphOn Corporation's ("GraphOn") patent infringement counterclaim to the Eastern District of Texas where GraphOn's related claims are currently pending. The grounds for this motion are set forth in the accompanying memorandum of law.

Respectfully submitted,

Date: May 22, 2009

/s/Coke Morgan Stewart

Alan M. Fisch (*pro hac vice*)
alan.fisch@kayescholer.com
Coke Morgan Stewart (*Va. Bar No. 41933*)
coke.stewart@kayescholer.com
R. William Sigler (*Va. Bar No. 65940*)
bill.sigler@kayescholer.com
Kevin W. Jakel (*pro hac vice*)
kevin.jakel@kayescholer.com
KAYE SCHOLER LLP
The McPherson Building
901 Fifteenth Street, NW
Washington, DC 20005-2327
Phone: 202-682-3500
Fax: 202-682-3580

Attorneys for Juniper Networks, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2009, I will electronically file the foregoing document with the Clerk of Court using the CM/ECF system, and serve a copy of the same document via hand on the following counsel of record:

Robert A. Angle
Dabney J. Carr, IV
Troutman Sanders LLP
Troutman Sanders Building
1001 Haxall Point
Richmond, Virginia 23219

And I hereby certify that I will mail the document via U.S. Mail to the following non-filing users:

Joseph M. Vanek
Thomas A. Vickers
Jeffrey R. Moran
David P. Germaine
Vanek, Vickers & Masini, P.C.
111 S. Wacker Drive
Suite 4050
Chicago, Illinois 60606

Michael Dudley Rounds
Melissa Pagni Barnard
Watson Rounds
5371 Kietzke Lane
Reno, Nevada 89511

/s/Coke Morgan Stewart
Coke Morgan Stewart
Va. Bar. No. 41933
Attorney for Juniper Networks, Inc.
Kaye Scholer LLP
901 15th Street, N.W.
Washington, D.C. 20005
Phone: 202-682-3500
Fax: 202-682-3580
coke.stewart@kayescholer.com